

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

FEB 8 - 2005

DIRECTOR OFFICE
TECHNOLOGY CENTER 2000

Ex parte DAVID OPSTAD and ALEXANDER B. BEAMAN

MAILED

Application No. 09/306,888

JAN 11 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on October 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed Information Disclosure Statement dated November 13, 2000. It is not clear from the record that the Information Disclosure Statements have been considered or acknowledged under §§ 1.97 and 1.98. The Information Disclosure Statement needs to be considered.

Application No. 09/306,888

Accordingly, it is

Ordered that the application is returned to the Examiner for

1) consideration of the Information Disclosure Statement

dated November 13, 2000; and

2) for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'DMS', is written over a horizontal line.

DALE M. SHAW
Program and Resource
Administrator
(571) 272-9797

DMS/dpv
RA05-0149

Application No. 09/306,888

BURNS, DOANE, SWECKER & MATHIS, LLP
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404